

**UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF NORTH CAROLINA  
DURHAM DIVISION**

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In re:

**Claude S. Dixon**

S.S. No.: xxx-xx-7865

Mailing Address: 2114 Otis Street, Durham, NC 27707-

**Case No. 10-80120**

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Debtor.

**NOTICE TO CREDITORS AND PROPOSED PLAN**

The Debtor has filed for relief under Chapter 13 of the United States Bankruptcy Code on January 26, 2010.

The filing automatically stays collection and other actions against the Debtor, Debtor's property and certain co-debtors. If you attempt to collect a debt or take other action in violation of the bankruptcy stay, you may be penalized.

Official notice will be sent to creditors, which will provide the name and address of the Trustee, the date and time of the meeting of creditors, and the deadline for objecting to the plan. The official notice will include a proof of claim form.

A creditor must timely file a proof of claim with the Trustee in order to receive distributions under the plan. The Trustee will mail payments to the address provided on the proof of claim unless the creditor provides another address in writing for payments. If the claim is subsequently assigned or transferred, the Trustee will continue to remit payment to the original creditor until a formal notice of assignment or transfer is filed with the Court.

Attached is a copy of the Debtor's proposed Chapter 13 Plan consisting of 2 documents entitled: (1) Chapter 13 Plan and (2) Ch. 13 Plan - Debts Sheet (Middle). This is the same Plan that has already been filed with the Court.

Dated: February 15, 2010

**LAW OFFICES OF JOHN T. ORCUTT, P.C.**

/s John T. Orcutt

John T. Orcutt

N.C. State Bar No. 10212

Counsel for the Debtor

6616-203 Six Forks Rd.

Raleigh, N.C. 27615

Tel. No. (919) 847-9750

circular.wpt (rev. 5/17/09)

# CH. 13 PLAN - DEBTS SHEET (MIDDLE DISTRICT - DESARDI VERSION)

Date: 1/19/10

Lastname-SS#: Dixon-7865

## RETAIN COLLATERAL & PAY DIRECT OF INSIDE PLAN

Creditor Name	Sch D #	Description of Collateral
Chase Auto (Daughter Pays)		03 Kia Sedona

## SURRENDER COLLATERAL

Creditor Name	Description of Collateral

## ARREARAGE CLAIMS

Creditor Name	Sch D #	Arrearage Amount	(See †)
			**
			**
			**
			**
			**
			**
			**
			**

## REJECTED EXECUTORY CONTRACTS & LEASES

Creditor Name	Description of Collateral

## LTD - DEF ON PRINCIPAL RESIDENCE & OTHER LONG TERM DEBTS

Creditor Name	Sch D #	Monthly Contract Amount	Int. Rate	Adequate Protection	Minimum Equal Payment	Description of Collateral
			N/A	n/a		
			N/A	n/a		
			N/A	n/a		
			N/A	n/a		

## STD - SECURED DEBTS at FMV

Creditor Name	Sch D #	FMV	Int. Rate	Adequate Protection	Minimum Equal Payment	Description of Collateral
SunTrust		\$6,397	5.00	\$64	\$125.92	04 Kia Sedona
			5.00			
			5.00			
			5.00			

## STD - SECURED DEBTS at 100%

Creditor Name	Sch D #	Payoff Amount	Int. Rate	Adequate Protection	Minimum Equal Payment	Description of Collateral
BOA		\$15,000	5.00	\$150	\$295.26	Rental Home
Mechanics and Farmer		\$36,000	5.00	\$360	\$708.63	Primary Home & Land
			5.00			
			5.00			
			5.00			

ATTORNEY FEE (Unpaid part)	Amount
Law Offices of John T. Orcutt, P.C.	\$2,800
SECURED TAXES	Secured Amt
IRS Tax Liens	
Real Property Taxes on Retained Realty	
UNSECURED PRIORITY DEBTS	Amount
IRS Taxes	
State Taxes	
Personal Property Taxes	
Alimony or Child Support Arrearage	
CO-SIGN PROTECT (Pay 100%)	Int. % Payoff Amt
All Co-Sign Protect Debts (See*)	
GENERAL NON-PRIORITY UNSECURED	Amount (**)
DMI= None(\$0)	None(\$0)

## PROPOSED CHAPTER 13 PLAN PAYMENT

\$ **\$1,198** per month for **60** months, then

\$ **N/A** per month for **N/A** months.

Adequate Protection Payment Period: **2.49** months.

Sch D # = The number of the secured debt as listed on Schedule D.

Adequate Protection = Monthly 'Adequate Protection' payment amt.

† = May include up to 2 post-petition payments.

\* Co-sign protect on all debts so designated on the filed schedules.

\*\* = Greater of DMI x ACP or EAE (Page 4 of 4)

Ch13Plan\_MD\_(DeSardi Version 1/12/10) © LOJTO

## Other Miscellaneous Provisions

Plan to allow for 3 "waivers".

## **CERTIFICATE OF SERVICE**

I, Charlene Free, the undersigned, certifies that a copy of the foregoing **NOTICE TO CREDITORS AND PROPOSED PLAN** was served by automatic electronic noticing upon the following Trustee:

Richard M. Hutson, II  
Chapter 13 Trustee

and was also served by first class U.S. mail, postage prepaid, to the following parties at their respective addresses:

**All the creditors set forth on the mailing matrix filing in this case.**

/s Charlene Free

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Charlene Free

North Carolina Department of Revenue  
c/o NC Department of Justice  
Post Office Box 629  
Raleigh, NC 27602-0629

Internal Revenue Service (ED)\*\*  
Post Office Box 21126  
Philadelphia, PA 19114-0326

Credit Bureau of Greensboro\*\*  
Post Office Box 26140  
Greensboro, NC 27402-0040

Employment Security Commission  
Attn: Benefit Payment Control  
Post Office Box 26504  
Raleigh, NC 27611-6504

US Attorney's Office (ED)\*\*  
310 New Bern Avenue  
Suite 800, Federal Building  
Raleigh, NC 27601-1461

Credit First  
Post Office Box 81315  
Cleveland, OH 44181-0315

Credit Bureau  
Post Office Box 26140  
Greensboro, NC 27402

Bank of America  
Post Office Box 15026  
Wilmington, DE 19850-5026

Dr. Bruce G. Gray, P.A.  
5606 Apex Highway  
Durham, NC 27713

NC Child Support  
Centralized Collections  
Post Office Box 900006  
Raleigh, NC 27675-9006

Bank of America  
c/o MBNA  
Post Office Box 15027  
Wilmington, DE 19850-5027

Duke Federal Credit Union \*\*  
2200 West Main Street  
Suite L 100  
Durham, NC 27705

Equifax Information Systems LLC  
P.O. Box 740241  
Atlanta, GA 30374-0241

Bank of America  
Attn: Mortgage Customer Service  
PO Box 9000  
Getzville, NY 14068

Durham County Tax Collector  
Post Office Box 3397  
Durham, NC 27701

Experian  
P.O. Box 2002  
Allen, TX 75013-2002

Chase  
PO Box 15298  
Wilmington, DE 19850

Estella Dixon  
2114 Otis Street  
Durham, NC 27707

Innovis Data Solutions  
Attn: Consumer Assistance  
P.O. Box 1534  
Columbus, OH 43216-1534

Chase Auto Finance  
Post Office Box 901076  
Fort Worth, TX 76101-2076

GEMB/Lowe's  
Post Office Box 103104  
Roswell, GA 30076

Trans Union Corporation  
P.O. Box 2000  
Crum Lynne, PA 19022-2000

Child Support Enforcement  
Post Office Box 20800  
Raleigh, NC 27619-0800

GEMB/Sam's  
Post Office Box 103104  
Roswell, GA 30076

ChexSystems  
Attn: Consumer Relations  
7805 Hudson Road, Ste. 100  
Woodbury, MN 55125

Citi Card  
Post Office Box 142319  
Irving, TX 75014-2319

Internal Revenue Service (MD)\*\*  
Post Office Box 21126  
Philadelphia, PA 19114-0326

Law Offices of John T. Orcutt  
6616-203 Six Forks Road  
Raleigh, NC 27615

Mechanics & Farmers Bank  
116 West Parrish Street  
Post Office Box 1932  
Durham, NC 27702-1932

North Carolina Department of Revenue  
c/o Reginald S. Hinton  
Post Office Box 25000  
Raleigh, NC 27640-5000

North Carolina Dept of Revenue\*\*  
Post Office Box 1168  
Raleigh, NC 27602-1168

SunTrust Bank  
PO Box 305053  
Nashville, TN 37230

US Attorney's Office (MD)\*\*  
Middle District  
Post Office Box 1858  
Greensboro, NC 27502-1858

Wells Fargo Financial Cards  
PO Box 5943  
Sioux Falls, SD 57117